

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

METROPOLITAN LIFE INSURANCE
COMPANY, a New York corporation,

Plaintiff,

vs.

ACDF, LLC, a California limited liability
company, et al.,

Defendants.

Lead Case No. 1:24-cv-01261-KES-SAB

Consolidated with Case Nos:
1:24-cv-01226; 1:24-cv-01230; 1:24-cv-
01231; 1:24-cv-01232; 1:24-cv-01233; 1:24-
cv-01235; and 1:24-cv-01241

**ORDER APPROVING EMPLOYMENT
OF SOMACH, SIMMONS & DUNN APC
AS WATER COUNSEL IN JOINTLY
ADMINISTERED CASES, MONTHLY
COMPENSATION, AND ENGAGEMENT
LETTER**

- ☒ Affects All Cases
- ☐ Affects Metropolitan Life Ins. Co. v. ACDF, LLC, et al., 1:24-cv-01261
- ☐ Affects Metropolitan Life Ins. Co. v. FNF Farms, LLC, et al., 1:24-cv-01226
- ☐ Affects Metropolitan Life Ins. Co. v. C & A Farms, LLC, et al., 1:24-cv-01230
- ☐ Affects Metropolitan Life Ins. Co. v. Maricopa Orchards, LLC, et al., 1:24-cv-01231
- ☐ Affects Brighthouse Life Ins. Co. v. Kamm South, LLC, et al., 1:24-cv-01232
- ☐ Affects Brighthouse Life Ins. Co. v. Manning Avenue Pistachios, LLC, et al., 1:24-cv-01233 Case No. 1:24-cv-01233
- ☐ Affects Brighthouse Life Ins. Co. v. ACDF, LLC, et al., 1:24-cv-01235
- ☐ Affects MetLife Real Estate Lending, LLC v. Panoche Pistachios, LLC, et al., 1:24-cv-01241

1 On January 30, 2025, Phillip Christensen, Receiver (the “Receiver”) in the eight
2 consolidated cases captioned above, filed an Application of Receiver for Order Approving 1)
3 Employment of Somach, Simmons, & Dunn APC as Water Counsel, 2) monthly compensation and
4 3) engagement letter (the “Application”). Doc. 91. It appears that due and proper notice of the
5 Application was given. No objections or requests for hearing with respect to the Application have
6 been filed. The Application is unopposed, and the Court is satisfied that all parties in interest have
7 had sufficient notice of the Application. It further appearing that good cause exists,

8 IT IS HEREBY ORDERED THAT:

- 9 1. The Application is granted.
- 10 2. The Receiver is authorized to employ Somach, Simmons & Dunn APC (the “Firm”)
11 as water counsel, effective as of January 24, 2025 in each of the above-referenced cases.
- 12 3. The Receiver is authorized to pay the Firm every month during the pendency of this
13 receivership pursuant to these procedures:
- 14 (a) within 10 days after each month the Firm will submit the invoice for the
15 prior month’s legal services to the Receiver with a copy to the plaintiff;
- 16 (b) within 14 days after receipt of the invoice, the plaintiff shall notify the Firm
17 and the Receiver if plaintiff has objections to any of the Firm’s fees;
- 18 (c) if there are no unresolved objections, the Receiver may immediately pay the
19 Firm and/or seek plaintiff’s payment thereof;
- 20 (d) if there are any unresolved objections with respect to monthly payments, the
21 parties shall have the dispute promptly heard by the Court unless the parties agree that the
22 dispute be heard at the time of the hearing on the Receiver’s final report and/or the hearing
23 on final approval of the fees of the Firm;
- 24 (e) any hearing on objections shall only pertain to the specific fees or expenses
25 which are the subject of the objection and any other fees or expenses shall be paid
26 immediately; and
- 27 (f) such monthly payments shall be without prejudice to the rights of a party to
28 be heard with respect to the final approval of the fees of the Firm.

1 4. The engagement letter attached as Exhibit “3” to the Application is hereby approved.

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3
4 IT IS SO ORDERED.

5 Dated: February 10, 2025

A handwritten signature in blue ink, appearing to read "Keith Smith", is written over a horizontal line.

UNITED STATES DISTRICT JUDGE